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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/940,632	08/29/2001	Yoshiyuki Shiwaku	2001_1053A	5600

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EXAMINER

ELAMIN, ABDELMONIEM I

ART UNIT	PAPER NUMBER
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2116

DATE MAILED: 06/16/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/940,632

Applicant(s)

SHIWAKU ET AL.

Examiner

A Elamin

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 May 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 10--17, 20-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 16,17,20 and 21 is/are allowed.
- 6) ☒ Claim(s) 10-12,15,22-24 and 27 is/are rejected.
- 7) ☒ Claim(s) 13,14,25 and 26 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 10-12, 22-24 are rejected under 35 U.S.C. 102(b) as being anticipated by

Wakatsuki US. Pat. No. 4,986,618.

3. Claim 10, Wakatsuki teaches an information terminal [*Figs 1-2*], comprising;

a case [*Figs 1-2*] having a memory device section for accommodating a detachable memory device [*element 7 of Fig. 2*];

a locking device fixed to said case [*38 of Figs. 2, 3 and 5*] and being changeable between a locked state and an unlocked state by a lock manipulation part [*abstract*], said locking device remaining fixed to said case in both locked state and unlocked state [*see Figs. 2, 3 and 5*];

a lid [*Lid 5 of Fig. 2*], removable between an open state and a closed state, for covering said memory device accommodating section and preventing removal of the detachable memory device from said memory device accommodating section when in closed state [*Figs 2, 3 and 5, abstract*]; and

an interlocking lock mechanism operably interlocked with said locking device for retaining said lid in said closed state when said locking device is in said locked state and for allowing opening said lid when said locking device is in said unlocked state [*Figs 2, 3 and 5, abstract*].

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4. Claim 11, Wakatsuki teaches said interlocking lock mechanism locks said lid directly when changed from said unlocked state to said locked state [*Figs 2, 3 and 5*].
5. Claim 12, Wakatsuki teaches a lid locking mechanism for locking and unlocking said lid manually, ... [*Figs 2, 3 and 5*].
6. Claim 22, Wakatsuki teaches a power switch mounted to said case for enabling at least one of powering said information terminal on and powering said information terminal off [*inherently, data collector devices have a power switch mounted to the case*].
7. Claim 23, Wakatsuki teaches said interlocking lock mechanism locks said lid directly when changed from said unlocked state to said locked state [*abstract, Figs. 2,3 and 5, col. 1, line 65 thru col. 2, line 10*].
8. Claim 24, Wakatsuki teaches a lid locking mechanism for locking and unlocking said lid manually, ... [*abstract, Figs. 2,3 and 5, col. 1, line 65 thru col. 2, line 10*].

Claim Rejections - 35 USC § 103

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. Claims 15 and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wakatsuki, US. Pat. No. 4,986,618.
11. Claims 15 and 27, Wakatsuki fails to teach the information terminal comprises a wireless communication function.

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Official notice is taken that both the concept and the advantages of having a wireless function built in an information terminal, such as a laptop, is old and well known in the art as admitted by Applicant [*see the specification of the instant application, page 1, lines 11-14*].

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Wakatsuki to include a wireless communication function, because it improves portability by eliminating the need for cables.

Allowable Subject Matter

12. Claims 13-14 and 25-26 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

13. Claims 16-17 and 20-21 are allowed.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to A Elamin whose telephone number is (571) 272-3674. The examiner can normally be reached on MON-FRI 9:30 AM - 6:00 PM.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynne Browne can be reached on (571) 272-3670. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A Elamin
Primary Examiner
Art Unit 2116

June 10, 2005



A. ELAMIN
PRIMARY EXAMINER